

WILMERHALE

May 13, 2021

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**BY ECF**

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The Honorable Lorna G. Schofield  
United States District Judge  
United States District Court  
for the Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: *Harrington Global Opportunity Fund, Limited v. CIBC World Markets Corp. et al.*,  
No. 1:21-cv-00761 (LGS)

Dear Judge Schofield:

I represent defendants TD Securities, Inc. and TD Securities (USA) LLC in the above-captioned action. On behalf of all parties, I write pursuant to Rule I.B.2 of the Court's Individual Rules of Practice to request an extension of the briefing schedule on Defendants' anticipated motion to dismiss the Amended Complaint. Plaintiff Harrington Global Opportunity Fund, Limited ("Plaintiff") joins this request.

Plaintiff filed its Amended Complaint on April 22, 2021. ECF No. 56. On April 29, 2021, Defendants filed a joint pre-motion letter regarding their anticipated motion to dismiss the Amended Complaint. ECF No. 61. On May 6, 2021, Plaintiff opposed, ECF No. 62, and filed a further amended complaint, ECF No. 63. On May 7, 2021, the Court ordered the following briefing schedule on the motion to dismiss, ECF No. 64:

- May 28, 2021: Defendants shall file their motion to dismiss
- June 18, 2021: Plaintiff shall file its opposition
- June 25, 2021: Defendants shall file their reply

The parties respectfully request that the Court modify the briefing schedule as follows.

- June 7, 2021: Defendants shall file their motion to dismiss
- July 9, 2021: Plaintiff shall file its opposition
- July 26, 2021: Defendants shall file their reply

Defendants respectfully submit that the extension would permit Defendants—eleven entities located across the United States and Canada—adequate time to coordinate a response to the Amended Complaint, which asserts seven claims. Coordinated joint briefing will in turn allow the parties to comprehensively and efficiently address the relevant issues in a manner that will benefit the Court and the parties.

May 13, 2021

Page 2

WILMERHALE

This is the first request by any party for an extension on the motion to dismiss briefing schedule, and granting the extension will not affect any other deadlines in this matter.

In making this request, Defendants do not intend to waive any defenses available to them in the case, including without limitation on grounds of lack of personal jurisdiction.

We thank the Court for considering this request.

Respectfully submitted,

/s/ David Lesser  
David Lesser